

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

CHARLES SCURLICK,)
)
 Plaintiff,)
)
 v.) No. 4:03-CV-1349 CAS
)
 MEADOWBROOK COUNTRY CLUB,)
)
 Defendant.)

ORDER

This closed matter is before the Court on the Amended Motion for Attorney's Fees and Costs filed by plaintiff's appointed counsel, Mr. Thomas G. Brackman. Mr. Brackman requests attorney's fees in the amount of \$9,072.00 and out-of-pocket expenses in the amount of \$1,880.50 from the Eastern District of Missouri's Attorney Admission Fee Non-Appropriated Fund.

All applications for disbursement of funds from the Attorney Admission Fee Non-Appropriated Fund are governed by Local Rules 12.03 and 12.06, the Administrative Order of February 24, 2004 concerning the Attorney Admission Fee Non-Appropriated Fund, and the Regulations Governing the Disbursement of Funds from the Non-Appropriated Fund for Attorney's Fees and Out-of-Pocket Expenses Incurred by Attorneys Appointed to Represent Indigent Parties in Civil Proceedings Pursuant to 28 U.S.C. § 1915(e), dated February 24, 2004 (the "Regulations").

The applicable Regulations provide that the maximum reimbursement for attorney's fees in any one case is two thousand five hundred dollars. See Regulations, § E.2. Mr. Brackman's motion for attorney's fees will therefore be granted in the amount of \$2,500.00 dollars.

Mr. Brackman also seeks reimbursement for deposition expenses in the amount of \$1,878.00 and facsimile charges in the amount of \$2.50. The deposition expenses are supported by documentation as required by Regulation § C.1. Section D.2. of the Regulations provides in pertinent part, “The costs of transcripts or depositions shall not exceed the regular copy rate established by the Judicial Conference of the United States and in effect at the time any transcript or deposition was filed unless some other rate was previously approved by order of court.” The applicable rate is \$3.30 per page. See 28 U.S.C. § 753(f). Two of the depositions for which reimbursement is sought were billed at the rate of \$3.50 per page. The Court will order these depositions reimbursed at the rate of \$3.30 per page. Mr. Brackman will therefore be reimbursed for three depositions in the amounts of \$330.00, \$866.20, and \$608.20, for a total of \$1,804.40, plus \$2.50 in facsimile charges.

The total amount to be reimbursed is \$4,306.90, comprised of \$2,500.00 in attorney’s fees and \$1806.90 in out-of-pocket expenses.

The Court offers its sincere thanks to Mr. Brackman for his willingness to accept a pro bono appointment and for his successful efforts on behalf of the plaintiff.

Accordingly,

IT IS HEREBY ORDERED that the Amended Motion for Attorney’s Fees and Costs filed by Thomas G. Brackman is **GRANTED** to the extent that Mr. Brackman will be reimbursed for attorney’s fees in the amount of Two Thousand Five Hundred Dollars (\$2,500.00), and for out-of-pocket expenses in the amount of One Thousand Eight Hundred Six Dollars and Ninety Cents (\$1,806.90), for a total of Four Thousand Three Hundred Six Dollars and Ninety Cents (\$4,306.90).

[Doc. 47]

IT IS FURTHER ORDERED that the Clerk of the Court shall disburse to Mr. Thomas G. Brackman from the Attorney Admission Fee Non-Appropriated Fund the sum of Four Thousand Three Hundred Six Dollars and Ninety Cents (\$4,306.90).



CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 19th day of May, 2005.